

REMARKS

In response to the Office Action mailed November 25, 2008, Applicant respectfully requests reconsideration. Claims 1-27 were previously pending in this application. By this amendment, claims 1, 3-8, 17 and 21-27 have been amended. No claims have been canceled or added. As a result, claims 1-27 are pending for examination, with claims 1, 8, 18 and 21 being independent.

I. Drawings

The Office Action objects to the drawings because the unlabeled rectangular boxes shown in the drawings allegedly should be provided with “descriptive text labels.” Applicant has reviewed the drawings and believes that the drawings satisfy the requirements of 37 CFR 1.81. In particular, the rectangular boxes are labeled with reference numerals, which are, in turn, referenced and described in the specification. Applicant is not aware of a requirement that the rectangular boxes include “descriptive text labels” in the drawings.

Applicant prefers to not amend the drawings if it is not required by the rules, as the suggested amendments require substantial time and cost. However, if there is such a requirement, Applicant respectfully requests that the Examiner indicate which rule sets forth this requirement so that Applicant can comply with the rule.

II. Rejections under 35 U.S.C. §103

The Office Action rejects claims 1-27 under 35 U.S.C. §103(a) as allegedly being unpatentable over US Patent No. 5,875,448 (Boys) in view of EP 0597483 (Yokota). While Applicant does not accede to the correctness of these rejections, each of the independent claims have been amended to move the application toward allowance. In addition, while Applicant does not accede to the propriety of the combination of Boys and Yokota, since each of the pending claims is believed to distinguish over the combination, Applicant believes that it is unnecessary at this time to argue against the combination, but reserves the right to specifically address the propriety of the combination in the future.

A. Brief Summary of Boys

Boys is directed to an Audio Editor in a hand-held device that allows a user to edit the audio in its audio form (Abstract; column 3, lines 8-36). Boys describes a playback mechanism wherein a user can rewind and fast-forward the audio (“jog”) using a thumb-wheel that, when activated by the user, indicates how far and how fast to rewind or fast-forward. However, this is different than the reverse playback operation described in the claims. Indeed, the Office Action even concedes that Boys does not “specifically teach replaying N-1 words and then automatically performing [a] backward jump” (Page 4, Office Action). Not only is the jogging operation of Boys different from the reverse playback operation in the claims in this respect, but the distance in which the “pointer” is moved in the audio file is a function of how long and at what deflection the thumb-wheel is activated. The replay function has no knowledge of the content of the audio (e.g., the audio has not been processed to recognize component parts such as words). As a result, Boys does not disclose or suggest a playback operation that jumps back N *words* and replays acoustically K *words* on each repetition of a reverse playback operation.

B. Brief Summary of Yokota

Yokota is directed to a disc playback method for fast-playback of a disc in cue and review modes (column 1, lines 7-9). In the hybrid playback combination of a fast playback operation in cue and review modes, Yokota describes rewinding a first designated number of data blocks and then playing forward a second designated number of data blocks (column 11, lines 8-24). However, as with Boys, the system of Yokota does not know where word boundaries in the audio data are located. During disc playback, the distance of the rewind and playback is based on blocks of data, not word boundaries, as words boundaries are not known in the system of Yokota.

C. Claims 1-7

Claim 1, as amended, recites, *inter alia*, a system comprising memory means for storing the audio data and word-marking data obtained from performing voice recognition on the audio data, the word-marking data indicating locations of word boundaries in the audio data, audio replaying means for replaying the audio data acoustically in a forward sequence, and control means for controlling the replaying of stored audio data in a forward mode and in a reverse mode, the control means controlling the audio replaying means perform a reverse mode playback operation including,

initiating a backward jump, counter to the forward sequence, over a distance corresponding to a length of at least N words using the word boundaries indicated in the word-marking data, to a target position, and then, starting from the target position, the control means initiating a replay of K words of the audio data in the forward sequence using the word boundaries indicated in the word-marking data, wherein K is less than N, the control means further controlling the audio replaying means to automatically repeat performing the reverse mode playback operation while the system is in the reverse mode (emphasis added).

As discussed above, neither Boys nor Yokota describe a playback operation in which word boundaries are used in the playback. Accordingly, the combination of Boys and Yokota does not disclose or suggest control means that initiates “a backward jump, counter to the forward sequence, over a distance corresponding to a length of at least *N words using the word boundaries indicated in the word-marking data,*” nor does the combination disclose or suggest control means that initiates “a replay of *K words* of the audio data in the forward sequence *using the word boundaries indicated in the word-marking data,*” as recited in claim 1 (emphasis added). Therefore, claim 1 patentably distinguishes over the combination and is in allowable condition.

Claims 2-7 depend from claim 1 and are allowable for at least the same reasons.

D. Claims 8-20

Claim 8, as amended, recites a method for replaying audio data stored in at least one memory, the method comprising acts of accessing word-marking data obtained from performing voice recognition on the audio data, the word-marking data indicating locations of word boundaries in the audio data, controlling the replaying of the audio data in a forward mode wherein audio is played in a forward sequence and in a reverse mode, performing a reverse playback operation while in the reverse mode, the reverse playback operation including starting from a particular momentary replay position in the audio data, automatically performing a backward jump, counter to the forward sequence, over a distance corresponding to a length of at least N words using the word boundaries indicated in the word-marking data, to a target position, and then, starting from the target position, replaying K words of the audio data in the forward sequence using the word boundaries indicated in the word-marking data, and automatically repeating the reverse playback operation while the system is in the reverse mode (emphasis added).

The combination of Boys and Yokota does not disclose or suggest a method of “automatically performing a backward jump, counter to the forward sequence, over a distance corresponding to a length of *N words using the word boundaries indicated in the word-marking data*,” nor does the combination disclose or suggest “replaying *K words* of the audio data in the forward sequence *using the word boundaries indicated in the word-marking data*,” as recited in claim 8 (emphasis added). Therefore, claim 8 patentably distinguishes over the combination and is in allowable condition.

Claims 9-17 depend from claim 8 and are allowable for at least the same reasons. Claim 18 patentably distinguishes over the combination Boys and Yokota for the same reasons indicated above in connection with claim 8. Claims 19 and 20 depend from claim 8 and are allowable for at least the same reasons.

E. Claims 21-27

Claim 21, as amended, recites a system for replaying stored audio data comprising at least one memory configured to store the audio data and word-marking data obtained from performing voice recognition on the audio data, the word-marking data indicating locations of word boundaries in the audio data, and a controller configured to playback the audio data in a reverse mode by jumping back *N words using the word boundaries indicated in the word-marking data*, playing back *K words using the word boundaries indicated in the word-marking data*, and then automatically repeating the jumping and playing back while in the reverse mode, wherein *K* is less than *N*.

The combination of Boys and Yokota does not disclose or suggest a system having a controller configured to playback the audio data in a reverse mode by “jumping back *N words using the word boundaries indicated in the word-marking data*,” nor does the combination disclose or suggest “playing back *K words using the word boundaries indicated in the word-marking data*,” as recited in claim 21 (emphasis added). Therefore, claim 21 patentably distinguishes over the combination and is in allowable condition.

Claims 22-27 depend from claim 21 and are allowable for at least the same reasons.

III. General Comments on Dependent Claims

Since each of the dependent claims depends from a base claim that is believed to be in condition for allowance, for the sake of brevity, Applicant believes that it is unnecessary at this time to argue the further distinguishing features of the dependent claims. However, Applicant does not necessarily concur with the interpretation of the dependent claims as set forth in the Office Action, nor does Applicant concur that the basis for rejection of any of the dependent claims is proper. Therefore, Applicant reserves the right to specifically address the further patentability of the dependent claims in the future.

CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance to discuss any outstanding issues relating to the allowability of the application.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby request any necessary extension of time. If there is a fee occasioned by this response, including and extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825, case # N0484.70057US00.

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Respectfully submitted,

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